

File No. 190251

Committee Item No. 5

Board Item No. 22

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date April 22, 2019

Board of Supervisors Meeting

Date April 30, 2019

Cmte Board

- |                                     |                                     |  |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Resolution                                   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form                            |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

OTHER (Use back side if additional space is needed)

- |                                     |                                     |                        |
|-------------------------------------|-------------------------------------|------------------------|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Referral PC 031319     |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Referral CEQA 031319   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Hearing Notice 042219  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | PLN Transmittal 041619 |
| <input type="checkbox"/>            | <input type="checkbox"/>            |                        |

Completed by: Erica Major Date April 18, 2019

Completed by: Erica Major Date 04/24/2019

1 [Planning Code, Zoning Map - 915 Cayuga Avenue]

2  
3 Ordinance amending the Zoning Map to change the zoning district on Assessor's  
4 Parcel Block No. 6954, Lot No. 039, from RH-1 (Residential, House District, One-Family)  
5 and Excelsior Outer Mission Street Neighborhood Commercial District to Excelsior  
6 Outer Mission Street Neighborhood Commercial District; and to change the zoning  
7 district on Assessor's Parcel Block No. 6954, Lot No. 011C, from RH-1 to Excelsior  
8 Outer Mission Street Neighborhood Commercial District; affirming the Planning  
9 Department's California Environmental Quality Act findings; making findings of  
10 consistency with the General Plan, and the eight priority policies of Planning Code,  
11 Section 101; and making findings of public convenience, necessity, and welfare under  
12 Planning Code, Section 302.  
13

14 NOTE: Unchanged Code text and uncodified text are in plain Arial font.  
15 Additions to Codes are in *single-underline italics Times New Roman font*.  
16 Deletions to Codes are in *strikethrough italics Times New Roman font*.  
17 Board amendment additions are in double-underlined Arial font.  
Board amendment deletions are in ~~strikethrough Arial font~~.  
Asterisks (\* \* \* \*) indicate the omission of unchanged Code  
subsections or parts of tables.

18  
19 Be it ordained by the People of the City and County of San Francisco:

20  
21 Section 1. Environmental and Land Use Findings.

22 (a) On April 11, 2019, the Planning Department's Environmental Review Officer  
23 finalized a Mitigated Negative Declaration ("MND") for the 915 Cayuga Project, including this  
24 Zoning Map amendment, and determined that the MND was adequate, accurate and  
25 complete and reflected the independent judgment of the Planning Department. A copy of the

1 MND and this Determination is on file with the Clerk of the Board of Supervisors in File No.  
2 190250 and is incorporated herein by reference. The Planning Commission adopted the MND  
3 and a Mitigation Monitoring and Reporting Program in its Resolution No. 20418 on April 11,  
4 2019. In accordance with the actions contemplated herein, the Board of Supervisors has  
5 reviewed the MND and the record as a whole, and adopts and incorporates by reference, as  
6 though fully set forth herein, the findings, including the Mitigation Monitoring and Reporting  
7 Program, pursuant to the California Environmental Quality Act (California Public Resources  
8 Code Section 21000 et seq.), adopted by the Planning Commission on April 11, 2019, in  
9 Resolution No. 20418. A copy of said Resolution No. 20418 is on file with the Clerk of the  
10 Board of Supervisors in File No. 190251 and is incorporated herein by reference. The  
11 Planning Department, Jonas Ionin, is the custodian of records, located in File No. 2016-  
12 013850ENV, at 1650 Mission Street, Fourth Floor, San Francisco, California.

13 (b) On April 11, 2019, the Planning Commission, in Resolution No. 20420, adopted  
14 findings that the actions contemplated in this ordinance are consistent, on balance, with the  
15 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board  
16 adopts these findings as its own. A copy of said Resolution No. 20420 is on file with the Clerk  
17 of the Board of Supervisors in File No. 190251, and is incorporated herein by reference.

18 (c) Pursuant to Planning Code Section 302, the Board finds that the actions  
19 contemplated in this ordinance will serve the public necessity, convenience, and welfare for  
20 the reasons set forth in Planning Commission Resolution No. 20420 and the Board  
21 incorporates such reasons herein by reference. A copy of Planning Commission Resolution  
22 No. 20420 is on file with the Clerk of the Board of Supervisors in File No. 190251.

23 //

24 //

25 //

1 Section 2. The Planning Code is hereby amended by revising Sheet SU11 of the  
2 Zoning Map as follows:

3

Description of Property	Use District to be Superseded	Use District Hereby Approved
Assessor's Block 6954, Lot 039	Excelsior Outer Mission Street Neighborhood Commercial District and RH-1	Excelsior Outer Mission Street Neighborhood Commercial District
Assessor's Block 6954, Lot 011C	RH-1	Excelsior Outer Mission Street Neighborhood Commercial District

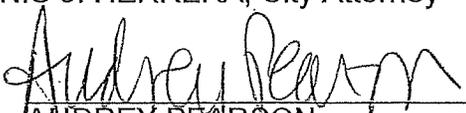
4  
5  
6  
7  
8  
9  
10  
11  
12  
13

14

15 Section 3. Effective Date. This ordinance shall become effective 30 days after  
16 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
17 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
18 of Supervisors overrides the Mayor's veto of the ordinance.

19

20 APPROVED AS TO FORM:  
21 DENNIS J. HERRERA, City Attorney

22 By:   
23 AUDREY PEARSON  
24 Deputy City Attorney  
25 n:\land\as2016\1700220\01353234.docx

**REVISED LEGISLATIVE DIGEST**  
(Amended in Committee, 4/22/2019)

[Planning Code, Zoning Map - 915 Cayuga Avenue]

**Ordinance amending the Zoning Map to change the zoning district on Assessor's Parcel Block No. 6954, Lot No. 039, from RH-1 (Residential, House District, One-Family) and Excelsior Outer Mission Street Neighborhood Commercial District to Excelsior Outer Mission Street Neighborhood Commercial District; affirming the Planning Department's California Environmental Quality Act findings; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101; and making findings of public convenience, necessity, and welfare under Planning Code, Section 302.**

Existing Law

Currently, the property at 915 Cayuga, which is bordered by Cayuga Street, Ocean Avenue, Alemany Boulevard, and Onondaga Avenue in the Excelsior neighborhood is subject to the controls in the Planning Code that govern RH-1 Districts and/or Excelsior Outer Mission Street Neighborhood Commercial District.

Amendments to Current Law

This ordinance amend the Zoning Map to change assessor's block 6954, lot 039, from RH-1 and Excelsior Outer Mission Street Neighborhood Commercial District to only Excelsior Outer Mission Street Neighborhood Commercial District; and would change the zoning district on assessor's block 6954, lot 011C, from RH-1 to Excelsior Outer Mission Street Neighborhood Commercial District.

Background Information

This legislation would facilitate the construction of a 116 unit residential building, in which the project sponsor has agreed in a development agreement to provide 50% of the units as below-market rate units. The development agreement can be found in Board File No. 190249. Additional legislation creating the Cayuga/Alemany Special Use District and amending the zoning map to approve the district and change the height map from 40-X to 65-X can be found in Board File No. 190250. The legislation creating the SUD and amending the allowable height would sunset if the development agreement were terminated or the project was not built. This legislation would not terminate, and the zoning district would remain Excelsior Outer Mission Street Neighborhood Commercial District.

This legislative digest reflects amendments made at the Land Use Committee on April 22, 2019 to reflect updated parcel map information.

n:\egana\as2019\1700220\01353238.docx



# SAN FRANCISCO PLANNING DEPARTMENT

---

April 12, 2019

Ms. Angela Calvillo, Clerk  
Honorable Supervisor Safai  
Board of Supervisors  
City and County of San Francisco  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

Re: Transmittal of Planning Department Case Numbers 2019-003571MAP and 2016-013850PCA/MAP/DVA:  
915 CAYUGA AVE  
Board File Nos. 190249, 190250, and 190251  
Planning Commission Recommendation: Approval with Modification

Dear Ms. Calvillo and Supervisor Safai,

On April 11, 2019, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider three proposed Ordinances, introduced by Supervisor Safai. The first two ordinances (BF 190249 and 190250) would establish the 915 Cayuga Ave SUD by amending the Zoning Map and Planning Code. The third ordinance (BF 190251) would amend the zoning map to rezone the subject parcels from RH-1 and Excelsior Outer Mission NCD to only the Excelsior Outer Mission Street NCD. At the hearing the Planning Commission recommended approval with modification of all three ordinances.

---

The Commission's proposed modification was as follows:

- Remove reference to Lot 011C in all the Ordinances.

The Planning Commission also reviewed and considered the Final Mitigated Negative Declaration (MND) for the Project, and found that the contents of said report and the procedures through which the Final Mitigate Negative Declaration (FMND) was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), Title 14 California Code of Regulations

Supervisor, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes recommended by the Commission.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron D. Starr". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Aaron D. Starr  
Manager of Legislative Affairs

cc:

Audrey Pearson, Deputy City Attorney  
Suhagey Sandoval, Aide to Supervisor Safai  
Erica Major, Office of the Clerk of the Board

Attachments:

Planning Commission Resolutions  
Planning Department Executive Summary



# SAN FRANCISCO PLANNING DEPARTMENT

## Planning Commission Resolution No. 20418

HEARING DATE APRIL 11, 2019

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

*Project Name:* 915 CAYUGA AVENUE  
*Case Number:* 2019-003571MAP [Board File No. 190251]  
*Initiated by:* Supervisor Safai / Introduced March 5, 2019  
*Staff Contact:* Veronica Flores, Legislative Affairs  
Veronica.Flores@sfgov.org, 415-575-9173  
*Reviewed by:* Aaron D. Starr, Manager of Legislative Affairs  
aaron.starr@sfgov.org, 415-558-6362

**RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE ZONING MAP TO CHANGE THE ZONING DISTRICT ON ASSESSOR'S PARCEL BLOCK NO. 6954, LOT NO. 039, FROM RH-1 (RESIDENTIAL, HOUSE DISTRICT, ONE FAMILY) AND EXCELSIOR OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL DISTRICT TO EXCELSIOR OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL DISTRICT; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.**

WHEREAS, on March 5, 2019 Supervisors Safai introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board"). File Number 190251, which would amend Sheet ZN11 of the Zoning Map to change the zoning district on Assessor's Parcel Block No. 6954, Lot No. 039, from RH-1 (Residential, House, One-Family) and Excelsior Outer Mission Street Neighborhood Commercial District to Excelsior Outer Mission Street Neighborhood Commercial District;

WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on April 11, 2019; and,

WHEREAS, the Planning Department published a Preliminary Mitigated Negative Declaration (MND) for the 915 Cayuga Avenue Project ("Project"), located at Assessor's Parcel Block No. 6954, Lot No. 039. The Project would demolish the existing commercial building at 915 Cayuga, and construct a new five story residential building with two basement levels; and,

WHEREAS, the Planning Department prepared a Mitigation Monitoring and Reporting Program (MMRP), which material was made available to the public, and to this Commission for this Commission's review, consideration and action; and

WHEREAS, the Preliminary MND and MMRP were available for public comment until February 12, 2019, no appeal of the Preliminary MND was filed, and the Department published the Final MND on March 19, 2019; and,

WHEREAS, the Planning Commission ("Commission") has reviewed and considered the Final Mitigated Negative Declaration (MND) for the Project, and finds that the contents of said report and the procedures through which the FMND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), Title 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"); and

WHEREAS, the Planning Commission finds that the FMND is adequate, accurate and objective, and reflects the independent analysis and judgment of the Planning Commission, and hereby approves the FMND for the project, and for the actions herein, in compliance with CEQA, the CEQA Guidelines and Chapter 31,

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and now therefore be it

RESOLVED, that the Planning Commission hereby adopts the Final MND and the MMRP, attached as Exhibit C, and be it further

RESOLVED, that the Planning Commission hereby adopts the following findings:

#### **FINDINGS**

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The Commission finds that the proposed Ordinance will establish a clear and uniform zoning for the subject site and will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity.
2. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

#### **HOUSING ELEMENT**

##### **OBJECTIVE 1**

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

**Policy 1.1**

Plan for the full range of housing needs in the City and County of San Francisco, especially affordable housing.

**Policy 1.10**

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

*The proposed Ordinance identifies the developable potential of the project site. By providing uniform zoning across the project site, the Ordinance maximizes the opportunity for residential development. Further, the project site is located within proximity to the Balboa Park BART Station, as well as a few MUNI bus lines.*

**OBJECTIVE 4:**

FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

**Policy 4.1**

Develop new housing, and encourage the remodeling of existing housing, for families with children.

**Policy 4.4**

Encourage sufficient and suitable rental housing opportunities, emphasizing permanently affordable rental units wherever possible.

**Policy 4.5**

Ensure that new permanently affordable housing is located in all of the City's neighborhoods, and encourage integrated neighborhoods, with a diversity of unit types provided at a range of income levels.

*The proposed Ordinance maximizes the opportunity for residential development. Currently with the dual zoning, residential development is limited due to the low-density constraints of RH-1 (Residential – House, One-Family) Zoning. This has likely been a primary reason why the lot has yet to provide residential development. The rezoning allows increased housing, and by extension increased housing supply.*

**OBJECTIVE 11:**

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

**Policy 11.1**

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

**Policy 11.2**

Ensure implementation of accepted design standards in project approvals.

**Policy 11.4:**

Continue to utilize zoning districts which conform to a generalized residential land use and density plan and the General Plan.

**Policy 11.6**

Foster a sense of community through architectural design, using features that promote community interaction.

*The proposed Ordinance increases the developable nature of the project site, which is currently limited due to the dual zoning. Further, the rezoning will provide a more cohesive context for the project site, which is constrained by the low-density constraints of RH-1 (Residential – House, One-Family) Zoning along the Alemany Boulevard frontage.*

3. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

*The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.*

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

*The proposed Ordinance would not have a negative effect on housing or neighborhood character.*

3. That the City's supply of affordable housing be preserved and enhanced;

*The proposed Ordinance would not have an adverse effect on the City's existing supply of affordable housing. The Ordinance will substantially increase the supply of affordable housing.*

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

*The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.*

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

*The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.*

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

*The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.*

7. That the landmarks and historic buildings be preserved;

*The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.*

8. That our parks and open space and their access to sunlight and vistas be protected from development;

*The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.*

4. **Planning Code Section 302 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

AND NOW THEREFORE BE IT FURTHER RESOLVED that the Commission hereby APPROVES the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on April 11, 2019.

  
Jonas P. Ionin  
Commission Secretary

AYES: Melgar, Koppel, Hillis, Johnson, Moore, Richards

NOES: None

ABSENT: None

ADOPTED: April 11, 2019



# SAN FRANCISCO PLANNING DEPARTMENT

## Planning Commission Resolution No. 20419

HEARING DATE APRIL 11, 2019

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

*Project Name:* 915 CAYUGA AVENUE  
*Case Number:* 2016-013850PCAMAP [Board File No. 190250]  
*Initiated by:* Supervisor Safai / Introduced March 5, 2019  
*Staff Contact:* Veronica Flores, Legislative Affairs  
Veronica.Flores@sfgov.org, 415-575-9173  
*Reviewed by:* Aaron D. Starr, Manager of Legislative Affairs  
aaron.starr@sfgov.org, 415-558-6362

RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO ESTABLISH THE CAYUGA/ALEMANY SPECIAL USE DISTRICT (SUD) FOR THE PROPERTY LOCATED AT 915 CAYUGA AVENUE (ASSESSOR'S PARCEL BLOCK NO. 6954, LOT NO. 039); AMENDING THE ZONING MAP TO ADD THE CAYUGA /ALEMANY SUD AND TO CHANGE THE HEIGHT LIMIT ON ASSESSOR'S PARCEL BLOCK NO. 6954, LOT NO. 039, TO 65-X; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, on March 5, 2019 Supervisors Safai introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 190250, which would amend the Planning Code to establish the Cayuga/Alemany Special Use District (SUD) for the property located at 915 Cayuga Avenue (Assessor's Parcel Block No. 6954, Lot No. 039); amend the Zoning Map to add the Cayuga /Alemany SUD, and to change the height limit on Assessor's Parcel Block No. 6954, Lot No. 039, to 65-X; and,

WHEREAS, the Planning Department published a Preliminary Mitigated Negative Declaration (MND) for the 915 Cayuga Avenue Project ("Project"), located at Assessor's Parcel Block No. 6954, Lot No. 039. The Project would demolish the existing commercial building at 915 Cayuga, and construct a new five story residential building with two basement levels; and,

WHEREAS, the Planning Department prepared a Mitigation Monitoring and Reporting Program (MMRP), which material was made available to the public, and to this Commission for this Commission's review, consideration and action; and

WHEREAS, the Preliminary MND and MMRP were available for public comment until February 12, 2019, no appeal of the Preliminary MND was filed, and the Department published the Final MND on March 19, 2019; and,

WHEREAS, on April 11, 2019, the Planning Commission ("Commission"), reviewed and considered the Final MND for the Project, and found that the contents of said report and the procedures through which

the Final MND were prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), Title 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"), and adopted the Final MND in Resolution 20418; and

WHEREAS, the Planning Commission adopted the MMRP, which MMRP is hereby incorporated by reference as though fully set forth herein and which requirements are made conditions of this approval; and,

WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on April 11, 2019; and,

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and now therefore be it

RESOLVED, that the Planning Commission hereby approves the proposed ordinance, and makes the following findings:

#### **FINDINGS**

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The Commission finds the Ordinance increases the residential development opportunity at the project site.
2. The Commission finds the Ordinance promotes housing affordability by increasing the housing supply.
3. The Commission finds the Ordinance provides housing on-site at levels significantly higher than the requirements of Section 415.
4. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

## HOUSING ELEMENT

### OBJECTIVE 1

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

#### Policy 1.1

Plan for the full range of housing needs in the City and County of San Francisco, especially affordable housing.

#### Policy 1.10

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

*The proposed Ordinance identifies the developable potential of the project site. By establishing the Cayuga/Alemanya SUD, the Ordinance maximizes the opportunity for residential development. Further, the SUD requires 50% affordable units substantially increasing the affordable housing supply. Additionally, the project provides 70% of the total units as family-friendly housing with units with two bedrooms or more. Also, the project site is located within proximity to the Balboa Park BART Station, as well as a few MUNI bus lines.*

### OBJECTIVE 4:

FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

#### Policy 4.1

Develop new housing, and encourage the remodeling of existing housing, for families with children.

#### Policy 4.4

Encourage sufficient and suitable rental housing opportunities, emphasizing permanently affordable rental units wherever possible.

#### Policy 4.5

Ensure that new permanently affordable housing is located in all of the City's neighborhoods, and encourage integrated neighborhoods, with a diversity of unit types provided at a range of income levels.

*The proposed Ordinance maximizes the opportunity for residential development. Currently with the dual zoning, residential development is limited due to the low-density constraints of RH-1 (Residential – House, One-Family) Zoning. This has likely been a primary reason why the lot has yet to provide residential development. The rezoning allows increased housing, and by extension, increased housing supply. Additionally, the project exceeds the inclusionary housing requirements of Planning Code Section 415. The proposal also provides more middle-income housing than would normally be required by the optional HOME-SF program, further adding to the affordable housing supply at all income levels.*

**OBJECTIVE 11:**

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

**Policy 11.1**

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

**Policy 11.2**

Ensure implementation of accepted design standards in project approvals.

**Policy 11.4:**

Continue to utilize zoning districts which conform to a generalized residential land use and density plan and the General Plan.

**Policy 11.6**

Foster a sense of community through architectural design, using features that promote community interaction.

*The proposed Ordinance increases the developable nature of the project site, which is currently limited due to the dual zoning. Further, the rezoning will provide a more cohesive context for the project site, which is constrained by the low-density constraints of RH-1 (Residential – House, One-Family) Zoning along the Alemany Boulevard frontage.*

**OBJECTIVE 12:**

BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

**Policy 12.2**

Consider the proximity of quality of life elements such as open space, child care, and neighborhood services, when developing new housing units.

*The proposed Ordinance is located within proximity to the Balboa Park BART Station. Additionally, the property to the north proposes a child care facility, which will be convenient for future residents at the project site.*

5. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

*The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.*

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

*The proposed Ordinance would not have a negative effect on housing or neighborhood character.*

3. That the City's supply of affordable housing be preserved and enhanced;

*The proposed Ordinance would not have an adverse effect on the City's existing supply of affordable housing. The Ordinance will substantially increase the supply of affordable housing.*

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

*The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.*

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

*The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.*

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

*The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.*

7. That the landmarks and historic buildings be preserved;

*The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.*

8. That our parks and open space and their access to sunlight and vistas be protected from development;

*The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.*

6. **Planning Code Section 302 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

Resolution No. 20419  
April 11, 2019

CASE NO. 2016-013850PCA/MAP  
915 CAYUGA AVENUE

AND BE IT FURTHER RESOLVED that the Commission hereby APPROVES the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on April 11, 2019.



Jonas P. Ionin  
Commission Secretary

AYES: Melgar, Koppel, Hillis, Johnson, Moore, Richards

NOES: None

ABSENT: None

ADOPTED: April 11, 2019



# SAN FRANCISCO PLANNING DEPARTMENT

## Planning Commission Resolution No. 20420

HEARING DATE APRIL 11, 2019

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

*Project Name:* 915 CAYUGA AVENUE  
*Case Number:* 2016-013850DVA [Board File No. 190249]  
*Initiated by:* Supervisor Safai / Introduced March 5, 2019  
*Staff Contact:* Veronica Flores, Legislative Affairs  
Veronica.Flores@sfgov.org, 415-575-9173  
*Reviewed by:* Aaron D. Starr, Manager of Legislative Affairs  
aaron.starr@sfgov.org, 415-558-6362

**RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD APPROVE A DEVELOPMENT AGREEMENT BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND SYTS INVESTMENTS, LLC, FOR THE DEVELOPMENT PROJECT AT 915 CAYUGA AVENUE, ASSESSOR'S BLOCK 6954, LOT NO. 039, WITH VARIOUS PUBLIC BENEFITS INCLUDING SIGNIFICANTLY MORE BELOW MARKET RATE UNITS THAN OTHERWISE REQUIRED; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.**

WHEREAS, Chapter 56 of the San Francisco Administrative Code sets forth the procedure by which a request for a Development Agreement will be processed and approved in the City and County of San Francisco; and

WHEREAS, the Development Agreement would enable the 915 Cayuga Avenue Project ("Project"). The Project would demolish the existing commercial building and new construction of a five-over-two-basement residential building with 116 units, 50% of which are affordable below market rate units. The Project includes a dwelling unit mix consisting of 16 studios (14%), 18 one-bedrooms (16%), 70 two-bedrooms (60%), and 12 three-bedroom units (10%). The proposal includes 66 parking space, three car-share parking spaces, and 116 Class 1 bicycle parking spaces; and

WHEREAS, in furtherance of the Project and the City's role in subsequent approval actions relating to the Project, the City and County of San Francisco and SYTS Investments, LLC ("Project Sponsor") negotiated a Development Agreement for development of the Project Site, a copy of which is attached as Exhibit A (the "Development Agreement"); and

WHEREAS, the City has determined that as a result of the development of the Project Site in accordance with the Development Agreement, clear benefits to the public will accrue that could not be obtained through application of existing City ordinances, regulations, and policies, as more particularly described in the Development Agreement; and

WHEREAS, the Development Agreement shall be executed by the Director of Planning and City Attorney, subject to prior approval by the Board of Supervisors; and

WHEREAS, the Planning Department published a Preliminary Mitigated Negative Declaration (MND) for the project, which was available for public comment until February 12, 2019. The Final MND was published on March 19, 2019, and;

WHEREAS, on April 11, 2019, the Planning Commission ("Commission") reviewed and considered the Final Mitigated Negative Declaration (MND) for the Project finding that the contents of said report and the procedures through which the FMND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), Title 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"); and

WHEREAS, in Resolution 20418, the Planning Commission adopted the Mitigation Monitoring and Reporting Program (MMRP), which MMRP is hereby incorporated by reference as though fully set forth herein and which requirements are made conditions of this approval; and

WHEREAS, on April 11, 2019, by Resolution Nos. 20418, 20419, and 20420, concurrently considered herewith, the Commission adopted findings in connection with its approval Project, including Planning Code Text and Map Amendments, which findings are hereby incorporated herein by this reference as if fully set forth.

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

NOW THEREFORE BE IT RESOLVED that the Commission recommends approval of the Development Agreement, in substantially the form attached hereto as Exhibit A.

AND BE IT FURTHER RESOLVED, that the Commission finds that the application, public notice, Planning Commission hearing, and Planning Director reporting requirements regarding the Development Agreement negotiations contained in Administrative Code Chapter 56 required of the Planning Commission and the Planning Director have been substantially satisfied.

AND BE IT FURTHER RESOLVED, that the Commission authorizes the Planning Director to take such actions and make such changes as deemed necessary and appropriate to implement this Commission's recommendation of approval and to incorporate recommendations or changes from other City agencies and/or the Board, provided that such changes do not materially increase any obligations of the City or materially decrease any benefits to the City contained in the Development Agreement attached as Exhibit A.

AND BE IT FURTHER RESOLVED, that the Planning Commission hereby approves the proposed ordinance.

## FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

### HOUSING ELEMENT

#### OBJECTIVE 1

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

##### Policy 1.1

Plan for the full range of housing needs in the City and County of San Francisco, especially affordable housing.

##### Policy 1.10

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

*The proposed Ordinance identifies the developable potential of the project site. By establishing the Cayuga/Alemanya SUD, the Ordinance maximizes the opportunity for residential development. Further, the SUD requires 50% affordable units substantially increasing the affordable housing supply. Additionally, the project provides 70% of the total units as family-friendly housing with units with two bedrooms or more. Also, the project site is located within proximity to the Balboa Park BART Station, as well as a few MUNI bus lines.*

#### OBJECTIVE 4:

FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

##### Policy 4.1

Develop new housing, and encourage the remodeling of existing housing, for families with children.

##### Policy 4.4

Encourage sufficient and suitable rental housing opportunities, emphasizing permanently affordable rental units wherever possible.

##### Policy 4.5

Ensure that new permanently affordable housing is located in all of the City's neighborhoods, and encourage integrated neighborhoods, with a diversity of unit types provided at a range of income levels.

*The proposed Ordinance maximizes the opportunity for residential development. Currently with the dual zoning, residential development is limited due to the low-density constraints of RH-1 (Residential – House, One-Family) Zoning. This has likely been a primary reason why the lot has yet to provide residential development. The rezoning allows increased housing, and by extension increased housing supply. Additionally, the project exceeds the inclusionary housing requirements of Planning Code Section 415. The proposal also provides more middle-income housing than would normally be required by the optional HOME-SF program, further adding to the affordable housing supply at all income levels.*

2. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

*The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.*

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

*The proposed Ordinance would not have a negative effect on housing or neighborhood character.*

3. That the City's supply of affordable housing be preserved and enhanced;

*The proposed Ordinance would not have an adverse effect on the City's existing supply of affordable housing. The Ordinance will substantially increase the supply of affordable housing.*

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

*The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.*

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

*The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.*

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

*The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.*

7. That the landmarks and historic buildings be preserved;

*The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.*

8. That our parks and open space and their access to sunlight and vistas be protected from development;

*The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.*

3. **Planning Code Section 302 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby APPROVES the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on April 11, 2019.



Jonas P. Ionin  
Commission Secretary

AYES: Melgar, Koppel, Hillis, Johnson, Moore, Richards

NOES: None

ABSENT: None

ADOPTED: April 11, 2019



**SAN FRANCISCO  
PLANNING DEPARTMENT**

**Executive Summary  
Planning Code Amendment / Zoning Map Amendment /  
Development Agreement / Conditional Use Authorization  
Hearing Date: April 11, 2019**

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

*Record No.:* 2016-013850PCA/MAP/DVA/CUA and 2019-003571MAP  
*Board File:* 2019-003571MAP [Board File No. 190251]  
 2016-013850PCAMAP [Board File No. 190250]  
 2016-013850DVA [Board File No. 190249]  
*Initiated by:* Supervisor Safai / Introduced March 5, 2019  
*Project Address:* 915 Cayuga Avenue  
*Zoning:* RH-1 (Residential – House, One Family)  
 Excelsior Outer Mission Neighborhood Commercial-District (NCD) Zoning  
 40-X Height and Bulk District  
*Block/Lot:* 6954/039  
*Project Sponsor:* Reza Khoshnevisan  
 SIA Consulting Corporation  
 1256 Howard Street  
 San Francisco, CA 94103  
*Staff Contact:* Veronica Flores – (415) 575-9173  
[veronica.flores@sfgov.org](mailto:veronica.flores@sfgov.org)  
*Recommendation:* **Ordinances: Approval with Modifications**  
**CUA: Approval with Conditions**

**PROJECT DESCRIPTION**

The Project includes demolition of the existing commercial building and new construction of a five-over-two-basement residential building with 116 dwelling units, 50% of which are affordable below market rate units. The Project includes a dwelling unit mix consisting of 16 studios (14%), 18 one-bedrooms (16%), 70 two-bedrooms (60%), and 12 three-bedroom units (10%). The proposal includes 66 off-street parking spaces, three car-share parking spaces, and 116 Class 1 bicycle parking spaces.

**PLANNING CODE AMENDMENTS**

The project site is split-zoned RH-1 (Residential – House, One-Family) and Excelsior Outer Mission NCD (Neighborhood Commercial District). The proposed Ordinances would rezone the project site to Excelsior Outer Mission NCD (BF 190251), establish the Cayuga/Alemanay Special Use District (SUD) (BF 190250), and approve a Development Agreement (DA) (BF 190249). The proposed SUD would set forth allowances and requirements for the project to proceed, while the DA would memorialize the proposed affordability level. A Conditional Use Authorization (CUA) is also sought under the terms of the proposed SUD.

**Rezoning [BF 190251]**

**The Way It Is Now:**

1. Assessor’s Block 6954, Lot 039 is currently zoned Excelsior Outer Mission Street NCD and RH-1.
2. Assessor’s Block 6954, Lot 011C is currently zoned RH-1.

[www.sfplanning.org](http://www.sfplanning.org)

**The Way It Would Be:**

1. Assessor's Block 6954, Lot 039 would be zoned Excelsior Outer Mission Street NCD.
2. Assessor's Block 6954, Lot 011C would be zoned Excelsior Outer Mission Street NCD.

**Cayuga/Alemanya Special Use District [BF 190250]**

**The Way It Is Now:**

1. In the Excelsior Outer Mission Street NCD, density is based on lot area.
2. The Excelsior Outer Mission Street NCD does not have a dwelling unit mix requirement.
3. The subject property's height and bulk designation is 40-X.
4. The Project is subject to the inclusionary housing requirements of Planning Code Section 415.
5. The Excelsior Outer Mission Street NCD allows Planned Unit Developments (PUD) with Conditional Use Authorization.
6. In the Excelsior Outer Mission Street NCD, a CUA is required for removal of a dwelling unit.
7. In the Excelsior Outer Mission Street NCD, a CUA is required for the development of lots greater than 10,000 square feet.
8. In the Excelsior Outer Mission Street NCD, one off-street loading space is required for a residential development greater than 100,001 – 200,000 square feet.
9. The Excelsior Outer Mission Street NCD requires:
  - a. A rear yard of 25% of the lot depth, but in no case less than 15 feet, at the second story and at each succeeding level and at the first story if it contains a dwelling unit;
  - b. Each dwelling unit face out onto a qualifying open space such as a public street or public alley at least 20 feet in width; and
  - c. 80 square feet per unit for private open space or 100 square feet per unit for common usable open space. The private and common open spaces have minimum required open spaces as prescribed in Planning Code Section 135.

**The Way It Would Be:**

1. The SUD would remove dwelling unit density based on lot area. Density would be controlled by the height and bulk limits of the building.
2. The SUD would establish required density dwelling mix (requires more family-sized units).
3. The SUD would change the height/bulk designation to 65-X.
4. The SUD would require the inclusionary housing as described as Planning Code Section 415 except the following AMI distribution:
  - a. 10% of units affordable to 55% AMI
  - b. 10% of units affordable to 80% AMI
  - c. 30% of units affordable to 100% AMI
5. The SUD prohibits Planned Unit Development (PUD) authorizations.
6. The SUD does not require a CUA for the removal of a dwelling unit.
7. The SUD does not require a CUA for the development of a large lot.
8. The SUD does not require an off-street loading space.
9. The SUD allows the Commission to modify the following requirements from the Excelsior Outer Mission NCD:
  - a. The SUD reduces the rear yard requirement to 25% of the lot area at the lowest story containing a dwelling unit and at each succeeding story.

- b. The SUD reduces the exposure requirements for up to 60% of dwelling units (or 75 units, whichever is more) if said units include qualifying windows facing an unobstructed open area that is no less than nine feet in every horizontal dimension, and such open area is not required to expand in every horizontal dimension at each subsequent floor.
- c. The SUD removes the minimum required dimensions for private open space in inner courthards. Any other space credited as private open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 square feet. Any space credited as common open space shall have a minimum horizontal dimension of two feet and a minimum area of 100 square feet.

### DEVELOPMENT AGREEMENT

The Project provides 50% affordable units, which could not be obtained through application of existing City ordinances, regulations, and policies. As such, the City and County of San Francisco has entered a Focused Development Agreement with the developer, SYTS Investments, LLC, which will establish a set of committed public benefits for the Project. The Project's commitments to public benefits includes:

- *Affordable Housing:* The Project would create a significant amount of affordable housing units, including 58 on-site affordable housing units, specifically providing eleven (11) BMR Units at 55% of AMI; twelve (12) BMR Units at 80% of AMI; and thirty-five (35) BMR Units at 100% of AMI. Under Planning Code Section 415, the Project is required to provide 19% on-site affordable housing units based on an Environmental Evaluation Application completion date of January 31, 2017. If the Project Sponsor elects to pursue HOME-SF, they would be required to provide 25% on-site affordable housing units. The Project far exceeds these requirements providing twice as many units as the optional HOME-SF program.

### CONDITIONAL USE AUTHORIZATION

Per Planning Code Sections 249.63 (the Cayuga/Alemany Special Use District) and 303, the Project is required to obtain Conditional Use Authorization for new residential development within the SUD.

### GENERAL PLAN COMPLIANCE

The Project is a high-density residential development, providing 116 new dwelling units. The Project includes 58 on-site affordable housing units for rent, which assist in meeting the City's affordable housing goals. Additionally, the proposal includes 82 family-sized units (70%) with at least two bedrooms or more. The Project is also in proximity to ample public transportation. Overall, the Project features an appropriate use encouraged by the Special Use District for this location. The Project introduces a contemporary architectural vocabulary that is sensitive to the prevailing scale and neighborhood fabric. On balance, the Project is consistent with the Objectives and Policies of the General Plan.

### RECOMMENDATION

The Department recommends that the Commission *approve with modifications* the proposed Ordinances and adopt the attached Draft Resolutions to that effect. The Department's proposed modification is as follows:

- Remove reference to Lot 011C in all the Ordinances.

Additionally, the Department recommends that the Commission grant a Conditional Use Authorization, pursuant to Planning Code Sections 303 and 249.63 (the Cayuga/Alemanya Special Use District) to allow new construction of the proposed residential development.

### **BASIS FOR RECOMMENDATION**

The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan. The Project provides a substantial amount of new rental housing, with 50% provided as on-site below-market rate units, which is a goal for the City's Housing Element. Additionally, the Project provides 70% of total units are family-friendly housing with two bedrooms or more. The Project Sponsor is eligible for the HOME-SF program, an optional program providing more affordable units and family-friendly housing. In return, HOME-SF provides density bonuses and zoning modifications to allow the Project to accommodate more affordable units. Instead of opting for the HOME-SF program to receive the same density bonuses and zoning modifications, the Project Sponsor provides 25% more affordable housing and 30% more of total units as family-friendly housing compared to what HOME-SF requires. The Department supports the rezoning and SUD because of the increased affordability, which far exceeds the requirements of the optional HOME-SF program. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

#### **Recommendation 1: Remove reference to Lot 011C in all the Ordinances**

Due to a record keeping error, the Ordinances describe the project site comprising two lots (011C and 039). Since the Ordinances were introduced, the Department has learned that the two lots were merged circa 2011 and now there is only one lot (039). The Ordinances should accurately reflect this and strike reference to Lot 011C.

### **ENVIRONMENTAL REVIEW**

The Planning Department published a Preliminary Mitigated Negative Declaration (MND) for the 915 Cayuga Avenue Project ("Project"), located at Assessor's Parcel Block No. 6954, Lot No. 039. The Project would demolish the existing commercial building at 915 Cayuga, and construct a new five story residential building with two basement levels.

The Planning Department prepared a Mitigation Monitoring and Reporting Program (MMRP), which material was made available to the public, and to this Commission for this Commission's review, consideration and action; and

The Preliminary MND and MMRP were available for public comment until February 12, 2019, no appeal of the Preliminary MND was filed, and the Department published the Final MND on March 19, 2019; and,

The Planning Commission ("Commission") has reviewed and considered the Final Mitigated Negative Declaration (MND) for the Project, and finds that the contents of said report and the procedures through which the FMND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), Title 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"); and

The Planning Commission finds that the FMND is adequate, accurate and objective, and reflects the independent analysis and judgment of the Planning Commission, and hereby approves the FMND for the project, and for the actions herein, in compliance with CEQA, the CEQA Guidelines and Chapter 31.

**ATTACHMENTS:**

- Draft Resolution – Zoning Map Amendment
- Draft Resolution – Planning Code, Zoning Map – Cayuga/Alemanya Special Use District
- Draft Resolution – Development Agreement (without attachment)
- Board of Supervisors File Nos. 190249, 190250, and 190251
- Draft Motion – Conditional Use Authorization
- Exhibit B – Plans and Renderings
- Exhibit C – CEQA Determination (Table of Contents)
- Exhibit D – Land Use Data
- Exhibit E – Maps and Context Photos
- Exhibit F – Inclusionary Affordable Housing Affidavit
- Exhibit G – Anti-Discriminatory Housing Affidavit
- Exhibit H – First Source Hiring Affidavit

BOARD of SUPERVISORS



City Hall  
Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

March 13, 2019

File No. 190251

Lisa Gibson  
Environmental Review Officer  
Planning Department  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Ms. Gibson:

On March 5, 2019, Supervisor Safai introduced the following legislation:

**File No. 190251**

**Ordinance amending the Zoning Map to change the zoning district on Assessor's Parcel Block No. 6954, Lot No. 039, from RH-1 (Residential, House District, One Family) and Excelsior Outer Mission Street Neighborhood Commercial District to Excelsior Outer Mission Street Neighborhood Commercial District; and to change the zoning district on Assessor's Parcel Block No. 6954, Lot No. 011C, from RH-1 to Excelsior Outer Mission Street Neighborhood Commercial District; affirming the Planning Department's California Environmental Quality Act findings; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101; and making findings of public convenience, necessity, and welfare under Planning Code, Section 302.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk  
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning  
Laura Lynch, Environmental Planning

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

March 13, 2019

Planning Commission  
Attn: Jonas Ionin  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Commissioners:

On March 5, 2019, Supervisor Safai introduced the following legislation:

**File No. 190251**

**Ordinance amending the Zoning Map to change the zoning district on Assessor's Parcel Block No. 6954, Lot No. 039, from RH-1 (Residential, House District, One Family) and Excelsior Outer Mission Street Neighborhood Commercial District to Excelsior Outer Mission Street Neighborhood Commercial District; and to change the zoning district on Assessor's Parcel Block No. 6954, Lot No. 011C, from RH-1 to Excelsior Outer Mission Street Neighborhood Commercial District; affirming the Planning Department's California Environmental Quality Act findings; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101; and making findings of public convenience, necessity, and welfare under Planning Code, Section 302.**

The proposed ordinance is being transmitted pursuant to Planning Code, Section 302(b), for public hearing and recommendation. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk  
Land Use and Transportation Committee

c: John Rahaim, Director  
Scott Sanchez, Acting Deputy Zoning Administrator  
Corey Teague, Zoning Administrator  
Lisa Gibson, Environmental Review Officer  
Devyani Jain, Deputy Environmental Review Officer  
AnMarie Rodgers, Director of Citywide Planning  
Dan Sider, Director of Executive Programs  
Aaron Starr, Manager of Legislative Affairs  
Joy Navarrete, Environmental Planning  
Laura Lynch, Environmental Planning

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

## NOTICE OF PUBLIC HEARING

### BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE AND TRANSPORTATION COMMITTEE

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposals and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

**Date:** Monday, April 22, 2019

**Time:** 1:30 p.m.

**Location:** Legislative Chamber, Room 250, located at City Hall  
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

**Subjects:** **File No. 190249.** Ordinance approving a Development Agreement between the City and County of San Francisco and SYTS Investments, LLC, for the development project at 915 Cayuga Avenue, with various public benefits including significantly more below market rate units than otherwise required; making findings under the California Environmental Quality Act and findings of consistency with the General Plan, and eight priority policies of Planning Code, Section 101.1(b); confirming compliance with or waiving certain provisions of Administrative Code, Chapters 14B and 56; and ratifying certain actions taken in connection therewith, as defined herein.

**File No. 190250.** Ordinance amending the Planning Code to establish the Cayuga/Alemany Special Use District (SUD) for the property located at 915 Cayuga Avenue (Assessor's Parcel Block No. 6954, Lot Nos. 039 and 011C); amending the Zoning Map to add the Cayuga/Alemany SUD and to change the height limit on Assessor's Parcel Block No. 6954, Lot Nos. 039 and 011C, to 65-X; affirming the Planning Department's California Environmental Quality Act findings; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101; and making findings of public convenience, necessity, and welfare under Planning Code, Section 302.

**File No. 190251.** Ordinance amending the Zoning Map to change the zoning district on Assessor's Parcel Block No. 6954, Lot No. 039, from RH-1 (Residential, House District, One Family) and Excelsior Outer Mission Street Neighborhood Commercial District to Excelsior Outer Mission Street Neighborhood Commercial District; and to change the zoning district on Assessor's Parcel Block No. 6954, Lot No. 011C, from RH-1 to Excelsior Outer Mission Street Neighborhood Commercial District; affirming the Planning Department's California Environmental Quality Act findings; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101; and making findings of public convenience, necessity, and welfare under Planning Code, Section 302.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in these matters, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to these matters are available in the Office of the Clerk of the Board. Agenda information relating to these matters will be available for public review on Friday, April 19, 2019.

A handwritten signature in black ink that reads "Angela Calvillo". The signature is written in a cursive style with a large initial "A" and a long horizontal stroke.

Angela Calvillo, Clerk of the Board

DATED/PUBLISHED/MAILED/POSTED: April 12, 2019

# Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2019 MAR 9 PM 2:44  
Time Stamp  
or meeting date

BY \_\_\_\_\_ *AK*

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [ ] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Topic submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Supervisor Ahsha Safai

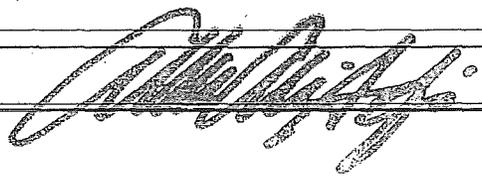
Subject:

Planning Code -- Zoning Map Amendment

The text is listed:

Ordinance amending the Zoning Map to change the zoning district on Assessor's Block 6954, Lot 039, from RH-1 and Excelsior Outer Mission Street Neighborhood Commercial District to Excelsior Outer Mission Street Neighborhood Commercial District; and to change the zoning district on Assessor's Block 6954, Lot 011C, from RH-1 to Excelsior Outer Mission Street Neighborhood Commercial District; affirming the Planning Department's California Environmental Quality Act findings; making findings of public convenience, necessity, and welfare under the Planning Code, Section 302; and making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.

Signature of Sponsoring Supervisor: [ ]



For Clerk's Use Only

